

January 11, 1984

LB 420

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SENATOR HEFNER: The committee amendment has been adopted. Senator Clark to explain the bill.

SENATOR CLARK: What this bill is is really a good samaritan bill. It allows people to go out and help clean up oil spills or any other hazardous material that happens there and they will not be responsible or liable when they do that. It has happened in the past and some people that have come to the aid of someone cleaning up a hazardous material such as this has been liable. Now fire departments are not liable now but other people have been and all this bill does is say they are not liable. It does not in any way release gross negligence. It does not stop the person that created a spill in the first place from being liable because they are liable and that is all the bill does is just tell the people that they are not liable if they are out there assisting in the cleaning up process. I move for the advancement of the bill.

SENATOR HEFNER: Amendment on the desk.

CLERK: Mr. President, Senator Beutler would move to amend the bill. This is Request #1637, Senator.

SENATOR HEFNER: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, whatever you decide about this bill I hope you will pay attention to the debate on it and listen carefully to it because I think this bill has the potential of having the kind of sleeper in it that got us into so much trouble in the Commonwealth affair, in the sense that there is potential in the bill that we may not realize until sometime in the future and I think you should be aware of the kind of potential that is there. The bill as it presently stands pertains to individual persons, it pertains to partnerships, corporations, associations, or any other entity. In other words, it is saying basically that there isn't anyone or any corporation that couldn't come in and assist in one of these types of cleanup operations, all of them would escape